

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

BRADLEY FARMER,)	
Individually, as surviving spouse of Terry)	
J. Farmer, deceased, and in his capacity as)	
Personal Representative of the Estate of)	
Terry J. Farmer, deceased,)	
)	
Plaintiff,)	
)	
v.)	Case No. -----
)	
KANSAS CITY, MISSOURI, BOARD OF)	
POLICE COMM'RS, through its members,)	
Nathan Garrett, Don Wagner, Cathy Dean,)	
Mark Tolbert, and Mayor Quinton Lucas,)	
)	
Defendant.)	

NOTICE OF REMOVAL

Defendant Kansas City, Missouri, Board of Police Commissioners, through its members, pursuant to 28 U.S.C. §§ 1441 and 1446, hereby give notice of the removal of this action to the U.S. District Court for the Western District of Missouri, Western Division, from the Circuit Court of Clay County, Missouri at Liberty, Missouri. The grounds for removal are:

1. Plaintiff filed a petition captioned, *Bradley Farmer v. Board of Police Commissioners of Kansas City*; Case Number 20CY-CV07385, in the Circuit Court of Clay County, Missouri, at Liberty, Missouri on September 16, 2020. See Exh. A, plaintiff's petition, attached.
2. The undersigned counsel accepted service for Defendant Board of Police Commissioners on September 17, 2020.

3. The Board of Police Commissioners is the only defendant.
4. The petition is a civil action that includes state law claims and federal claims made pursuant to the Civil Rights Act, 42 U.S.C § 1983.
5. Because the federal claims are ones in which the U.S. District Court has original jurisdiction, in that it arises under federal law pursuant to the Civil Rights Act, 42 U.S.C. § 1983, removal is proper.
6. The U.S. District Court for the Western District of Missouri is the appropriate court for filing of a notice of removal from the Circuit Court of Clay County, Missouri, where the action was commenced and is pending. Accordingly, Defendant Board of Police Commissioners seeks to remove this action to the U.S. District Court for the Western District of Missouri.
7. Thirty days have not yet expired since the undersigned counsel accepted service for Defendant Board of Police Commissioners.
8. Immediately upon filing this notice of removal, Defendant Board of Police Commissioners will file a copy of this notice with the clerk of the Circuit Court of Clay County, Missouri, and provide written notice to counsel in accord with 28 U.S.C. § 1446(d).

WHEREFORE, Defendant Kansas City, Missouri, Board of Police Commissioners, through its members, give notice of the removal of this action from the Circuit Court of Clay County, Missouri, to this Court.

Respectfully submitted,

ERIC S. SCHMITT
Missouri Attorney General

/s/ Diane Peters
Diane Peters
Assistant Attorney General
Missouri Bar Number: 54784
Attorneys for Defendants
Missouri Attorney General's Office
Fletcher Daniels State Office Building
615 E. 13th Street, Suite 401
Kansas City, Missouri 64106
Telephone: (816)889-5000
Fax: (816)889-5006
Diane.Peters@ago.mo.gov

CERTIFICATE OF SERVICE

The undersigned certifies that on October 6, 2020, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following:

Mark E. Kelly
Lorry K. Kelly
Kett R. Craven
Kelly Law Office, P.C.
134 N. Water St.
Liberty, MO 64068
Telephone: (816)760-2000
Fax: (816)760-2001
mkelly@kellylawoffice.legal
lkelly@kellylawoffice.legal
kcraven@kellylawoffice.legal
Attorneys for Plaintiff

/s/ Diane Peters
Attorney for Defendant